

**SHER EDLING LLP**  
PROTECTING PEOPLE AND THE PLANET

August 13, 2021

**VIA ECF**

The Honorable Roanne L. Mann  
United States Magistrate Judge  
United States District Court  
for the Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: Joint Status Report: *Suffolk County Water Authority v. The Dow Chemical Co. et al.*,  
No. 2:17-cv-6980-NG-RLM, and Related Cases

Dear Judge Mann:

On behalf of all 32 Parties in the referenced cases, and consistent with the status report provided to the Court on July 16, 2021 (ECF 188), the Parties update below their progress regarding certain outstanding discovery items raised in Defendants' Motions to Compel (ECF 173, 174), as referenced in prior status reports (ECF 179, 180, 183, 188).

Following conferral, further information exchanges, and Plaintiffs' (and their consultants') production of various materials, the Parties have resolved outstanding issues regarding: (1) groundwater models; (2) SCWA's groundwater testing databases; (3) Plaintiffs' drinking water distribution models; (4) lists of Plaintiffs' wells with updated dioxane detections; and (5) certain modifications to search terms for documents that previously remained in privilege and supplemental review.

Since the submission of the prior status report, Plaintiff Suffolk County Water Authority and all Plaintiffs represented by Sher Edling completed their privilege review and supplemental document productions on or before August 6, 2021. Plaintiff New York American Water District also completed its privilege review and document production. Plaintiff Hicksville Water District intends to complete its document production by August 13, 2021.

Defendants are reviewing the approximately 4.8 million pages of documents Plaintiffs and their consultants produced since the May 20 hearing on Defendants' Motions to Compel and will confer with Plaintiffs if they believe that issues remain with the completeness of Plaintiffs' "well file," email, or other productions as referenced in earlier status reports.

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The Parties will provide the Court with a further update in the next regularly scheduled status report on September 1, 2021 but will promptly bring to the Court any issues requiring earlier intervention following good faith conferral.

Respectfully submitted,

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